UNITED
NATIONS

S

Security Council

Distr.
GENERAL

S/23000
3 September 1991

ORIGINAL: ENGLISH

REPORT OF THE SECRETARY-GENERAL ON THE IRAQ-KUWAIT OBSERVATION MISSION

1. The present further interim report on the United Nations Iraq-Kuwait Observation Mission (UNIKOM) contains a summary of events since my last report dated 12 June 1991 (S/22692).

2. UNIKOM continued to monitor the demilitarized zone (DMZ) established by the Security Council. This was generally respected and the number of violations decreased. The following violations of the DMZ were recorded:

(a) UNIKOM observed a number of minor incursions by armed and unarmed military personnel. The Iraqi forces accounted for 6, and the Kuwaiti and allied forces for 36 such incursions;

(b) UNIKOM observed 10 violations by Iraqi police and 5 by Kuwaiti police of the limitation on the arms that they are permitted to carry in the DMZ. As previously reported (S/22692, para. 9), both Iraq and Kuwait have agreed to limit such armaments to sidearms only;

(c) UNIKOM observed 36 violations of the DMZ by military aircraft of the type used by the forces allied with Kuwait.

3. UNIKOM raised the violations of the DMZ with the party concerned, usually in writing, with a view to having action taken to prevent a recurrence. Both Iraq and Kuwait gave repeated assurances to this effect and, in UNIKOM's judgement, they continued to extend their cooperation to the Mission.

4. Both sides indicated misgivings about the limitation on the armament of the police. They pointed out that that made it difficult for the police to deal effectively with smugglers or others who were better armed. While acknowledging that difficulty, UNIKOM nevertheless considered it necessary to maintain the limitation for the time being in order to reduce the potential for serious incidents.

5. UNIKOM received eight written complaints from Iraq and six from Kuwait. It investigated those complaints and was able in 11 cases to establish the facts through its own observations and informed the complaining party accordingly.

6. One of the purposes of UNIKOM is to deter violations of the boundary between Iraq and Kuwait through its presence in and surveillance of the DMZ. Pending demarcation of that boundary by the Iraq-Kuwait Boundary Demarcation Commission established under paragraph 3 of resolution 687 (1991) and in order to avoid friction and incidents, UNIKOM has established the principle that Iraqi and Kuwaiti officials, including police, should maintain a reasonable distance of about 1,000 metres from the boundary line shown on UNIKOM maps. UNIKOM is using a British map, which it has given to both sides for reference. They have agreed to work with it as a practical arrangement to facilitate UNIKOM's task and without prejudice to their positions concerning the boundary.

7. During the reporting period, Iraq deployed 4 border police centres and 10 border police posts in the DMZ. Five of the posts are on the Kuwaiti side of the boundary line shown on UNIKOM's map; 2 are closer to it than 1,000 metres, on the Iraqi side. UNIKOM made lengthy and intensive efforts to have Iraq move the seven posts further back. However, the Iraqi authorities maintained that those posts had been in place before 2 August 1990 and that pulling them back would prejudice Iraq's position regarding the demarcation of the border. Once the demarcation had taken place, Iraq would comply with the "reasonable distance" principle.

8. Apart from a border post on the main road south of Safwan, Kuwait has deployed only one police post, in the southern sector. The Kuwaiti authorities maintained contact with UNIKOM regarding the deployment of additional posts and reiterated their willingness to comply with the "reasonable distance" principle, if the Iraqi authorities did so too.

9. UNIKOM recorded the following shooting incidents involving Iraqi and Kuwaiti military and police personnel:

(a) On 28 July 1991, three Kuwaiti soldiers in uniform fired a light machine-gun from a military vehicle at an Iraqi police centre in the central sector. The vehicle left when a UNIKOM patrol appeared. The Iraqis did not return fire and there were no casualties;

(b) On 31 July 1991, a Kuwaiti police patrol reported to UNIKOM observers that its vehicle was stuck in the sand about 1 kilometre north-east of an Iraqi police post. The UNIKOM observers found that the vehicle carried two rifles, hand grenades and ammunition. Iraqi police, who had approached the vehicle, claimed that the Kuwaiti personnel had fired at them;

(c) On 14 August 1991, an incident developed between Iraqi personnel stationed at a police post in the southern sector and a convoy of Kuwaiti police and senior officials accompanied by UNIKOM observers on a joint reconnaissance of proposed police posts. This incident was the subject of a communication from the Permanent Representative of Kuwait to the President of the Security Council (S/22950). A UNIKOM team investigated the incident and questioned persons involved on both sides. The Iraqi policemen claimed that the incident began when their post came under fire from the Kuwaiti convoy.

The UNIKOM observers accompanying the convoy, which was stretched out over a long distance, were at its very end and did not notice any firing. The investigating team was unable to confirm that the Iraqi post had been fired upon. It was also unable to establish which side opened fire in an exchange that took place when two of the Kuwaiti vehicles became bogged down in the sand, were left behind and were then approached by a group of 12 to 15 Iraqi policemen. The firing at that location was heard by the personnel of UNIKOM observation post No. S6. There were no casualties and the Kuwaiti policemen were able to depart in one vehicle. UNIKOM observers came to the spot and informed the Iraqi policemen that they were on Kuwaiti territory and should return to Iraqi territory. The Iraqis initially rejected this and attempted to take possession of the remaining Kuwaiti vehicle, but they withdrew upon the arrival of a UNIKOM patrol and helicopter. The disabled vehicle was returned to the Kuwaiti authorities. The UNIKOM team was not able to establish who initiated the exchange of fire. However, UNIKOM has protested to the Iraqi authorities the violation of Kuwaiti territory and of the limitation on the arms to be carried in the DMZ.

10. The maintenance of law and order, notably the enforcement of laws regulating the movement of persons and goods across the border, is the responsibility of the government authorities concerned. However, as a result of illegal movement across the border, some tension has arisen during the reporting period, which has been of concern to UNIKOM.

11. One source of tension and the site of several shooting incidents was an illegal market, which was held in the southern sector of the DMZ. It is known by UNIKOM as the "sheep market", although alcohol and arms are traded as well as livestock. When UNIKOM first discovered the market in May it was located in Iraq. Following a shooting incident on 27 June, in which three Iraqi policemen were fatally injured, the market ceased for two weeks, after which it reappeared in a new location closer to the border. In mid-August, it moved to the Kuwaiti side of the DMZ. UNIKOM has reported its observations to the Governments of Iraq and Kuwait and both have taken measures to curb access to the market.

12. In a new development since the beginning of August, UNIKOM observed on several occasions groups of Iraqis, apparently civilians, collecting weapons, ammunition and other battlefield items on the Kuwaiti side of the DMZ. In addition, UNIKOM was informed by the Kuwaiti authorities that a number of such persons were arrested well inside Kuwaiti territory. UNIKOM raised the matter with the Iraqi authorities, who denied any involvement by Iraqi officials or soldiers but could not exclude the possibility that civilians had crossed the border. The Iraqi authorities explained that they had offered a financial reward to their citizens for the delivery of ammunition and other military items that were still scattered throughout large areas and posed a danger to the population. The Iraqi authorities undertook to do what they could to curb crossings into Kuwait. For their part, the Kuwaiti authorities informed UNIKOM that they had arranged to have the southern sector cleared of military items and were considering a similar project for the islands of Bubiyan and Failaka.

13. In the afternoon of 28 August 1991, UNIKOM was informed by a Kuwaiti army liaison officer that there had been an incident involving firing between Iraqi and Kuwaiti personnel on, and in the vicinity of, the Kuwaiti island of Bubiyan, outside the DMZ. The incident has been the subject of communications addressed to the President of the Security Council by the Permanent Representative of Kuwait (S/22990) and by the Chargé d'affaires a.i. of the Permanent Mission of Iraq (S/22993).

14. UNIKOM has carried out an investigation, in the course of which Bubiyan Island was visited and some of the Kuwaiti military personnel directly involved, as well as some of the Iraqis taken into custody during the incident, were questioned by the investigating team. The UNIKOM team also visited the Al Faw peninsula in Iraq. The following is a summary of its findings:

(a) In the afternoon of 28 August 1991, a Kuwaiti Coast Guard detachment comprising 4 boats took custody of 11 Iraqi fishing boats and 1 speedboat in the waters off Bubiyan Island and of their crews, 45 persons in all. No one was taken from Bubiyan, and UNIKOM received no further information regarding earlier reports that some Iraqis had hidden on Bubiyan;

(b) According to its commander, the Kuwaiti detachment came under small arms fire from Ras al Qaid and Ras al Barshah on Bubiyan. The UNIKOM team was not able to find evidence of firing at those locations. There were no injuries and none of the vessels showed signs of having been hit;

(c) The crew of the speedboat and at least some of the crews of the fishing boats had collected ammunition and other items (e.g. military-style blankets) on Bubiyan. They stated that they had done so for financial gain. UNIKOM has had independent reports of trading in ammunition in southern Iraq. The UNIKOM team did not find, nor was it shown, evidence that there had been weapons on the Iraqi boats;

(d) A senior Kuwaiti army liaison officer stated that, during the incident on 28 August, 12 Iraqi navy speedboats left the Al Faw jetty to come to the assistance of the Iraqi boats off Bubiyan. The jetty mentioned by the Kuwaiti officer is the only marine facility that UNIKOM has observed on the southern shore of the Al Faw peninsula. It offers no protection and can be used only by small craft, which are grounded at low tide. The jetty is about 13 kilometres from UNIKOM observation post No. 6 and is visited by daily patrols from there. Those patrols have not, so far, observed any naval presence. Similarly, the UNIKOM personnel observing the access to the Khowr Abd Allah south of Umm Qasr had not observed any movement of Iraqi vessels;

(e) The UNIKOM team interviewed Kuwaiti airforce pilots, who stated that on the day of the incident, at 1710 hours local time and after the Coast Guard detachment had left the area with the captured vessels, they had engaged and sunk seven boats off Bubiyan. They did not know from where those boats had come. The UNIKOM team saw from the air the wrecks of two boats in the

vicinity of Ras al Qayd but was not able to establish their identity or when they had been sunk.

15. Major-General Greindl and his staff are conscious of the implications of the incidents described in this report. They will continue to maintain a high level of vigilance in the performance of the tasks entrusted to them by the Security Council.